

REMARKS

Claims 1, 4, 6, 9, 10, and 14-42 are all the claims presently pending in the application. Claims 1, 11, 15, and 19 have been amended to more particularly define the invention. Claims 2-5, 7, 8, 12, 13, 18, and 22 have been cancelled. Claims 14, 23-36, and 41 have been withdrawn as being unelected.

It is noted that the claim amendments are made only for more particularly pointing out the invention, and not for distinguishing the invention over the prior art, narrowing the claims or for any statutory requirements of patentability. Further, Applicants specifically state that no amendment to any claim herein should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Claims 1, 9, 15-17, 19-21, and 37-40 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over KAWATA (U.S. Patent No. 6,542,627), BLEY (U.S. Patent No. 6,038,012), and further in view of CONNER, et al. (U.S. Patent No. 5,579,393). Claims 6 and 10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over KAWATA, BLEY, CONNER, and further in view of SAITO (U.S. Patent No. 5,724,155). Claim 11 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over KAWATA, BLEY, CONNER, and further in view of FUKUOKA, et al. (U.S. Patent No. 5,960,155). Claim 42 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over KAWATA, BLEY, CONNER, and further in view of ALLEN, et al. (U.S. Patent No. 5,737,491).

These rejections are respectfully traversed in the following discussion.

I. THE CLAIMED INVENTION

The claimed invention, as exemplified by claim 1, is directed to an image recording method, including loading identification information of a value or a binary

information preliminary added to a subject and subject information used by a photographer to confirm an identity of the subject, in a digital camera before photographing the subject, displaying, on a basis of the subject information, subject information used by the photographer to confirm the identity of the subject on a display device of the digital camera before photographing the subject, photographing the subject using the digital camera after confirming the identity of the subject on the basis of the subject information displayed on the display device, and recording a photographed medical image of the subject in connection with the loaded identification information. The photographed medical image recorded in connection with the loaded identification information is saved to a database. Also, the identification information loading includes reading the subject identification information from a recording medium having the subject identification information recorded thereon, reading the subject information corresponding to the read subject identification information from the recording medium, from a database having the subject information already stored in connection with the subject identification information, and transmitting the subject information read from the database, to the digital camera together with the identification information read from the recording medium. Further, the subject information includes at least an image of a face from the subject's image and name. Also, the recording records the identification information loaded in the information loading, in a header part of an image file in which the photographed medical image of the subject is recorded.

With conventional image recording methods, an image photographed using a digital camera is associated with a patient ID in the following manner:

1) The patient ID (number) and the diagnosis image are photographed in connection with each other. Then, the photographed image is associated with the patient ID.

2) The patient ID is input from a keyboard connected to the digital camera, and a folder identical to that for the patient ID is created so that a photographed image is recorded in this folder.

The method 1) is cumbersome because it requires extra operations of photographing the patient ID and associating the photographed image with the patient ID.

On the other hand, in the method 2), an operator manually inputs the patient ID, so that an input error is likely to occur, causing the patient to be mistaken for another patient. Further, if an input error occurs, it cannot be easily detected. Furthermore, since the keyboard is connected to the digital camera, it may obstruct the movement of the camera or a change in camera angle during photographing.

Further, the recorded image is managed on the basis of a directory name or the like, so that if only the image file is copied to another directory or the like, it cannot subsequently be associated with the patient ID.

Furthermore, recent digital cameras allow recorded image information such as image format, the number of pixels, and compression rate to be properly set, so that the image may be mistakenly recorded in a form unsuitable for the database. (See Application at page 1, line 13-page 2, line 5).

Also, even if a patient ID is displayed on the display of the camera as additional information, it cannot be checked on the basis of the contents of the display whether or not this patient ID matches the patient ID imparted to the patient to be photographed. This results in the need for an extra operation of simultaneously photographing the patient and the patient ID (number) or the like and associating the photographed image with the patient ID. This is cumbersome.

Further, with a large amount of additional information, the restricted display of the camera (for example, a character liquid crystal) does not allow the entire information to be displayed, thereby also preventing the photographer from checking what additional information is added to the image. (See Application at page 2, line 32-page 3, line 5).

The claimed invention, on the other hand, may provide an image recording method and apparatus which may simplify the input of identification information on a subject, which enables an easy check on the correspondence between the subject identification information input before photographing and the subject to be photographed, and which may automatically record information in a format suitable for a database.

The claimed invention may also provide an image transmitting method which may simplify the input of information on the destination of an image and which may automatically transmit a photographed image to a destination corresponding to the destination information.

The claimed invention may further provide an image recording method and system wherein if additional information input from an external device is recorded in connection with an image of the subject, a camera may be used to easily check what added-to-image information is added, whether or not the added-to-image information is correct as information added to the image of the subject, and the like. (See Application at page 3, lines 10-25).

II. THE PRIOR ART REFERENCE

A. The Rejections Based on the Kawata, the Bley, and the Conner References

The Examiner alleges that Kawata, when combined with Bley and Conner, renders claims 1, 9, 15-17, 19-21, and 37-40 obvious. Applicants submit, however, that these

references would not have been combined and even if combined, the combination would not teach or suggest each and every element of the claimed invention.

Claim 1 recites, inter-alia, “recording a photographed medical image of the subject in connection with the loaded identification information,” and “wherein the subject information comprises at least an image of a face from the subject’s image and name.”

Claims 15 and 19 recite similar features as those recited by claim 1 above.

Applicants point out that the claimed invention is characterized by being able to easily and correctly record the subject ID added to the subject into the medical image of the subject.

In contrast, Kawata teaches a medical image output system, which records in the database the medical image data of the patient, the face image data of the patient, and the ID number of the patient associated with each other, inputs in the terminal device the medical image data corresponding to the ID number and the corresponding face image data when the patient ID number is inputted from the terminal device, and lists and displays on the monitor 4 the medical image indicated by the medical image data and the face image indicated by the face image data.

Also, Kawata’s device confirms by face images which medical image belongs to which patient from all of the simultaneously displayed medical image.

However, although Kawata teaches that the medical image data of the patient, the face image data of the patient, and the ID number of the patient associated with each other and recorded in the database, Kawata fails to teach or suggest how the patient’s medical image data and the patient’s ID number are associated with each other and are recorded. In fact, Kawata does not even recognize the problem the claimed invention tries to solve, or the way by which the claimed invention solves the problems.

Bley also fails to remedy Kawata's deficiencies.

That is, the photo ID card creating system of Bley is for capturing a human face to be printed on an ID card, and is not for photographing an medical image of a subject.

Bley does display the separately inputting personal information prior to capturing a facial photo. However, this is merely for preliminarily confirming whether there are any erroneous inputs of personal information of the individual who can be identified with the facial photo to be printed on the ID card. This confirmation is totally different from the confirmation of the claimed invention.

Namely, as the Applicants explained in the Request for Reconsideration of November 28, 2008, the database of the claimed invention records the subject ID (patient ID) added to the subject associated with the subject information, including the subject's facial photo, thus enabling the confirmation of the identity of the subject.

Also, before photographing the subject, the subject ID is read from a recording medium, such as a patient card having a subject ID, and the corresponding subject information are read out from the database. This subject information is then displayed on the camera display.

As a result, the photographer can confirm the identity between the subject and the subject information from the subject to be photographed, and the subject information (at least the facial photo of the subject) displayed on the display.

Further, after confirming the identity between the subject and the subject information, upon photographing the medical image of the subject, the medical image of the subject photographed and the subject ID read from the recording medium are associated with each other and recorded.

In other words, the claimed invention is capable of easily and correctly recording the subject ID onto the medical image of the subject to be photographed, only by “reading the subject ID from a recording medium such as a patient card” and “confirming the identity of the subject by displaying the subject information including the subject’s facial photo read from the database, depending on the read subject ID” when associating the subject ID added to the subject with the medical image of the subject to be photographed, and recording the medical image with the subject ID.

Conner also fails to remedy the Kawata’s and Bley’s deficiencies.

That is, the Examiner has not alleged, and Conner fails to teach or suggest, “recording a photographed medical image of the subject in connection with the loaded identification information,” and “wherein the subject information comprises at least an image of a face from the subject’s image and name.” Instead, the Examiner merely alleges that Conner teaches or suggests a recording step of recording the identification information loaded in the information loading step, in a header part of an image file. (Office Action, page 4, lines 19-21).

Since there are elements of the claimed invention that are not taught or suggested by Kawata, Bley, or Conner, the Examiner is respectfully requested to reconsider and withdraw this rejection.

B. The Rejections Based on the Kawata, the Bley, the Conner, and the Saito References

The Examiner alleges that Kawata, when combined with Bley, Conner, and Saito, renders claims 6 and 10 obvious. Applicants submit, however, that these references would not have been combined and even if combined, the combination would not teach or suggest

each and every element of the claimed invention.

As discussed previously, Kawata, Bley, and Conner fail to teach or suggest claim 1's features, "recording a photographed medical image of the subject in connection with the loaded identification information," and "wherein the subject information comprises at least an image of a face from the subject's image and name," from which claims 6 and 10 depend. Saito also fails to remedy Kawata's, Bley's and Conner's deficiencies.

The Examiner does not even allege that Saito teaches the above-recited features of claim 1. Rather, the Examiner merely alleges that Saito teaches wherein while the subject identification information and the subject information are being transmitted to the digital camera, the digital camera is inhibited from being used for photographing. (Office Action, page 6, line 18-page 7, line 5).

Since there are elements of the claimed invention that are not taught or suggested by Kawata, Bley, Conner, or Saito, the Examiner is respectfully requested to reconsider and withdraw this rejection.

C. The Rejections Based on the Kawata the Bley, the Conner, and the Fukuoka References

The Examiner alleges that Kawata, when combined with Bley, Conner, and Fukuoka, renders claim 11 obvious. Applicants submit, however, that these references would not have been combined and even if combined, the combination would not teach or suggest each and every element of the claimed invention.

As discussed previously, Kawata, Bley and Conner do not teach or suggest, "recording a photographed medical image of the subject in connection with the loaded identification information," and "wherein the subject information comprises at least an

image of a face from the subject's image and name," as recited by claims 1, from which claim 11 depends. Fukuoka also fails to remedy Kawata's, Bley's, and Conner's deficiencies.

The Examiner does not even allege that Fukuoka teaches the above-recited features of claim 1, from which claim 11 depends. Rather, the Examiner merely alleges that Fukuoka teaches wherein the information loading step loads recorded image information containing at least one of the recited image formats. (Office Action, page 8, lines 1-5).

Since there are elements of the claimed invention that are not taught or suggested by Kawata, Bley, Conner, or Fukuoka, the Examiner is respectfully requested to reconsider and withdraw this rejection.

D. The Rejections Based on the Kawata the Bley, the Conner, and the Allen References

The Examiner alleges that Kawata, when combined with Bley, Conner, and Allen, renders claim 42 obvious. Applicants submit, however, that these references would not have been combined and even if combined, the combination would not teach or suggest each and every element of the claimed invention.

As discussed previously, Kawata, Bley and Conner do not teach or suggest, "recording a photographed medical image of the subject in connection with the loaded identification information," and "wherein the subject information comprises at least an image of a face from the subject's image and name," as recited by claims 1, from which claim 11 depends. Allen also fails to remedy Kawata's, Bley's, and Conner's deficiencies.

The Examiner does not even allege that Allen teaches the above-recited features of claim 1, from which claim 42 depends. Rather, the Examiner merely alleges that Allen teaches transmitting the recorded photographed image, together with the identification

information in the header part of the image file. (Office Action, page 9, lines 1-3).

Since there are elements of the claimed invention that are not taught or suggested by Kawata, Bley, Conner, or Allen, the Examiner is respectfully requested to reconsider and withdraw this rejection.

III. FORMAL MATTERS AND CONCLUSION


In view of the foregoing, Applicants submit that claims 1, 4, 6, 9, 10, and 14-42, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

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